

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:19-cv-00506

Bruce McMeans,
Petitioner,

v.

Sheriff, Smith County,
Respondent.

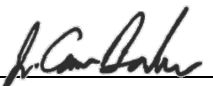
Before BARKER, *District Judge*

ORDER

On this day, the court considered the findings of fact and recommendation of United States Magistrate Judge K. Nicole Mitchell regarding petitioner's application for the writ of habeas corpus (Doc. 1). Having conducted a proceeding pursuant to 28 U.S.C. § 636(b)(1) and (3), the magistrate judge recommends that the petition be dismissed without prejudice for failure to exhaust state remedies. Doc. 9. The petitioner filed objections to the report, but these objections simply asked that he be allowed to proceed and did not address the issue of exhaustion. Docs. 13 and 14.

Upon de novo review, the court finds no error in the report and recommendation. The findings of fact and recommendation of the magistrate judge are therefore **adopted** as the opinion of the court. The court **orders** that this petition for the writ of habeas corpus is **dismissed without prejudice** for failure to exhaust state remedies. Any motions currently pending in this action are **denied** as moot.

So ordered by the court on April 2, 2020.



J. CAMPBELL BARKER
United States District Judge